

1 Donna J. McCready  
2 Friedman, Rubin & White  
3 1126 Highland Avenue  
4 Bremerton, WA 98337  
5 Telephone: (360) 782-4300  
6 Facsimile: (360) 782-4358  
7 E-mail: [dmccready@frwlaw.us](mailto:dmccready@frwlaw.us)

5  
6  
7 IN THE UNITED STATES DISTRICT COURT  
8  
9 FOR THE DISTRICT OF ALASKA

10 KIMBERLY ALLEN, Personal )  
11 Representative of the Estate of TODD ) Case No. 3:04-CV-0131-JKS  
12 ALLEN, Individually, on behalf of )  
13 the Estate of TODD ALLEN, and on )  
14 behalf of the Minor Child, PRESLEY )  
GRACE ALLEN, )  
Plaintiff, )  
vs. )  
UNITED STATES OF AMERICA, )  
Defendant. )  
-----)

15 **NOTICE OF NON-JURY TRIAL**  
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17 The United States and the plaintiff are filing notice with the court that the above-  
18 captioned case is a Federal Torts Claim Act case and, therefore, by statute this case will be  
19 judge-tried.  
20

## FRIEDMAN RUBIN & WHITE

Counsel for Plaintiffs

DATED: April 23, 2007

By: /s/ Donna J. McCready

1126 Highland Avenue  
Bremerton, Washington 98337  
Telephone: (360) 782-4300  
Facsimile: (360) 782-4358  
E-mail: [dmccready@frwlaw.us](mailto:dmccready@frwlaw.us)  
Alaska Bar No. 9101003

By: /s/ Gary Guarino

U.S. Attorney's Office  
District of Alaska  
222 W. 7<sup>th</sup> Avenue, Room 253  
Anchorage, AK 99513  
Telephone: (907) 271-5071  
Facsimile: (907) 271-2344  
E-mail: Gary.Guarino@usdoj.gov  
Alaska Bar No. 8209092

**Certificate of Service**

I certify that a copy of the foregoing document was served via Electronic Filing upon Gary Guarino on April 23, 2007

/s/ Donna J. McCready